



Boone County Community & Economic Development Corp.

Suite 101 • Avenue C Building • Madison, WV 25130
In Partnership With the Boone County Commission

"Working Together for a Brighter Future in Boone County"

BOONE
COUNTY

CERTIFIED
BUSINESS
LOCATION

Narrative Information Sheet

1. Applicant Information: Boone County Community Development Corp
1 Avenue C, Suite 101, Madison, WV 25130
304/369-9127
2. Funding Requested:
 - a. Grant Type: Single Site Cleanup
 - b. Federal Funds Requested:
 - i. \$ 181,794
 - ii. We are requesting a cost share waiver
 - c. Contamination: Petroleum Substances
3. Location:
 - a. City: Madison
 - b. County: Boone
 - c. State: West Virginia
4. Property Information: Former Lyon Oil Property
10 Avenue C, Madison, WV 25130
5. Contacts:
 - a. Project Director: Kris Mitchell, Director
304/369-9118
director@boonecountywv.org
 - b. Chief Executive / Highest Ranking Elected Official: Eddie Hendricks, Chairman
304/369-9118
6. Population: 2,662
7. Other Factors Checklist: Checklist Attached
8. Letter from State Environmental Authority: Letter Attached

Former Lyon Oil Property, Madison, WV
Boone County Community & Economic Development Corporation

Other Factors Checklist	Page #
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them.	1
The proposed site s is in a federally designated flood plain.	1
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	3

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

i. Background and Description of Target Area

Madison is a small rustic town located deep in the heart of the Appalachia coalfields of southern West Virginia (WV). Located along the Coal River in Boone County, the Town came into existence in the early 1800's, then known as Boone Court House, and later renamed Madison. The Town was incorporated in 1906 and became known as the "gateway to the coalfields", due to the abundance of bituminous coal in the region. As the coal mining industry grew, the Chesapeake and Ohio Railroad (now CSX Transportation) laid tracks through Madison to move coal out to east coast and northeast destinations for steam generation and steel making, fueling the American Industrial Revolution. By the mid-1950's, Boone County had become a top producing coal county for the entire state, and over half of its labor force was in the coal industry. From the 1980's until 2017, Boone County was the top producing county in WV, and in the eastern U.S. As a result, during the 1980's Madison experienced its largest population levels (3,228, U.S. Census). Multiple coal companies had headquarters here, and support businesses to support the coal mines and workers grew, including a downtown full of restaurants, grocery stores, and supply retailers. Madison was a destination for coal miners and their families that lived in nearby coal camps, coming to buy goods not available in their local community.

From the 1990's until today, coal mining operations has steadily decreased throughout the entire region, due to lower cost and availability of western coal sources, equipment automation requiring fewer workers, and reduced need for coal for electrical generation as companies began turning to natural gas and renewable energy resources. As a result, many coal miners and support business workers lost their jobs and left the region. An irreversible downturn in the coal industry from about 2009 through 2015 contributed prominently to the already suffering economy of Madison and throughout southern WV. **Coal production in Boone County has declined approximately 80%, and local employment has declined by over 25% from 2008 levels** (Appalachian Regional Commission Study, "*Overview of Coal Economy in Appalachia*", January 2018). Business locations are now abandoned, store buildings are closed, and dilapidated structures dot the local landscape. The population of Madison has declined by 17.5% from the 1980's (current population 2,662, U.S. Census, 2020 estimate). The coal miners and their families that came to Madison from the outlying coal camps are gone too. The Boone County population has reduced by over 33% during the past 40 years. With these noted job and population losses combined with reduced coal severance tax funds (tax on each ton of coal produced that goes back into the local economy) from coal production declines, tax revenues have declined by as much as 80% in Madison and Boone County.

ii. Description of the Brownfield Site

The specific brownfield site to be addressed is the former Lyon Oil site, located at 10 Avenue C, Madison, WV. The abandoned property is situated on approximately 2 acres of property next to the Coal River, within a federally designated flood plain (100-year flood zone AE), and adjacent to the business district of Madison. The site was originally used as an ice storage facility in the early 1900's, and later used as a bulk petroleum storage facility. In more recent years the

property had primarily served as a used oil collection, storage and recycling facility. The used oil facility has been closed for more than 10 years.

In 2019, the Boone County Community Development Corporation (BCCDC) took ownership of the site, after performance of an All Appropriate Inquiry. A Phase II Environmental Site Assessment (ESA) was conducted in October of 2019 to determine environmental impacts on the site. Phase II ESA results indicated the presence of multiple heavy metals, including vanadium, arsenic, aluminum and iron, in surface and subsurface soils, and in groundwater. Volatile and semi-volatile organic petroleum compounds in surface and subsurface soils and groundwater are also present, at concentrations above WV De Minimis levels for residential use, and in many cases, above WV De Minimis levels for industrial use. These environmental impacts require remediation prior to the site being redeveloped. The site also contains six above-ground tanks previously used primarily for used oil storage that will require removal. After taking ownership, BCCDC minimized property access and public contact from known environmental impacts, including securing the building and arranging for police monitoring. A fire of unknown cause gutted the single-story structure in June of 2020. Building contents were destroyed, including multiple drums of used oil, and the building was razed after being deemed unsafe by the local building authority for use. The site now sits empty.

b. Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans

Redevelopment of the Former Lyon Oil site is a critical step in redeveloping and enhancing the local economy of Madison, based on three major factors, all related to recreational trail users, called “**The Three-Trail Project**”. First, the site is situated next to the Coal River and 88-mile Walhonde Water Trail, an increasingly popular water trail used by residents and outdoor recreationalists visiting the region for kayaking, canoeing and fishing. The Lyon Oil site has been identified for a future river access location, including parking and canoe / kayak rentals. Secondly, the site is adjacent to the Madison walking and biking trail that meanders through the Town and connects to the neighboring town of Danville. Rehabilitation of the site will enhance the experience of non-motorized trail users, and trail users will be able to stop and enjoy the rehabilitated property, including a planned coffee shop and restaurant, and green space along the Coal River for public use. The third trail factor is based on the site being situated along Avenue C, a thoroughfare currently unused and identified for future use by Hatfield McCoy Trail riders, which are motorized ATV, UTV and off-road trail bike riders. The Hatfield McCoy trail system includes over 730 miles of trails in the southern WV hills for permitted riders to experience, and new trails recently completed or currently under development is bringing more visitors into Madison to experience the Appalachia small town atmosphere and local amenities (restaurants, convenience stores, retail shops). Because the thoroughfare is not used for automobile traffic, trail riders will be able to access Madison in a safe manner. The Hatfield McCoy Trail system has grown to serve more than 50,000 riders each year, with approximately 85% of trail riders coming from out-of-state. This growth trend is expected to continue to grow as additional trails are opened in 2021, including more trails in Boone County and in the immediate Madison area.

Plans for redevelopment of the Lyon Oil building and property for multi-trail users fits seamlessly with both regional and local economic development activities. The region's "2019 – 2023 Comprehensive Economic Development Strategy" specifically includes goals and strategies to enhance economic conditions in the region, with a primary focus on "increasing regional tourism related to current and future trail users (motorized, non-motorized, and water trails)". This regional strategy includes a 4-county area including Boone County, all working collectively to bring new economic prosperity to the region by maximizing trail resources for sustained economic growth. At the local level, the mission of the BCCDC includes "promoting economic and community development, and tourism opportunities in Madison and throughout Boone County". The BCCDC is working to diversify the local economy by spearheading efforts to promote multi-trail resources available in the area, offering assistance and/or work space to local business owners to promote and grow their small businesses to attract more trail users to the area. The former Lyon Oil site will serve as an anchor component of both regional and local plans, connecting motorized, non-motorized and water trail users at one location.

ii. Outcomes and Benefits of Reuse Strategy

Remediation and redevelopment of the Former Lyon Oil brownfield will provide positive outcomes and much needed new economic benefit to the area. Anticipated outcomes include up to 20 new jobs (coffee shop and restaurant, canoe / kayak rental), 2 acres of contaminated property remediated, and minimized exposure to hazardous and petroleum substances and heavy metals. Multiple benefits associated with this project include the creation of new business opportunities and local community enhancements. As discussed previously, the "Three Trail Project" focuses on marketing and enhancing business development and community vitality based on three uniquely different recreational trails now operating. The former Lyon Oil site is the center piece of this strategy as all three trail systems come together at this location. The planned coffee shop and restaurant, canoe and kayak rental business, and public parking and green space amenities all support and augment the Three Trail Project. Regardless of the type of trail(s) a visitor uses, the site will accommodate and support their needs. Workers in the business district of Madison, located next to the site which includes the Boone County Courthouse complex, will benefit as well, taking advantage of the nearby coffee shop, restaurant and green space. Visitors to the area will no longer see the current abandoned eyesore, in its place a refurbished and attractive property that increases local community vibrancy and experience of people visiting the area, while increasing employment and expanding the local tax base.

Redevelopment plans for the property include reducing energy consumption through updated building design, improving on-site storm water management, and renewable energy generation. Solar energy is best suited for this area, compared with wind and geothermal energy sources, with southern WV having some of the highest potential solar energy production estimates in West Virginia (ref. PV Watts Calculator, National Renewable Energy Laboratory). Installation of solar panels on the roof of the new structure will augment electrical needs with clean energy. While the site is not within a federally declared Opportunity Zone, the site is in a census tract eligible for New Market Tax Credit redevelopment investment (Census tract 5400595840);

credits are projected to be utilized as the project moves forward upon completion of site remediation.

c. Strategy for Leveraging Resources

i. Resources Needed for Site Reuse

The BCCDC is actively pursuing funds specifically for completion of this project, including State, federal and private funding programs. However, the Former Lyon Oil site must first obtain funds for site remediation before other funding partners will release their funds for site redevelopment. State funding for required environmental remediation work is not available, as WV currently has no funding set aside specifically for cleanup of brownfield properties. The State is also facing a budget shortfall, due to the COVID-19 pandemic that has slowed the economy and is not currently funding new programs. EPA Brownfields cleanup grant funding is critical to begin obtaining other resources. Specifically, for this project on the State level, the WV Division of Natural Resources (WVDNR) has been contacted to provide river access improvements for public use. Additional public access locations are needed to accommodate the growing Walhonde Water Trail users, and this site is perfectly situated for this accommodation. The BCCDC is working with the WVDNR to access these funds, after site remediation work has been completed. A prominent source of federal funding available to the BCCDC are Economic Development Administration and Appalachian Regional Commission POWER grants. POWER grants are only available to communities suffering from the downturned coal industry, and funds are to be used exclusively for economic development and community enhancement projects. This project is an ideal candidate for utilization of these funds, and the BCCDC will be applying for these funds as the project advances. The BCCDC will also be obtaining additional grant funding from private sources, a prominent example being Appalachian Power Company's Economic Development Growth Enhancement grants, available each year for economic development agencies to support business development and expansion, and site development. This project is completely suited for this funding source.

ii. Use of Existing Infrastructure

The Former Lyon Oil site is located immediately next to the Business District of Madison, an area with all necessary infrastructure components in-place and available for use as part of site redevelopment. Three-phase electric power, commercial natural gas service, water, sewer, and broadband are all available on the site and throughout the local area. Madison provides police and fire department protection throughout this area. Corridor G / U.S. Route 119 provides easy 4-lane access to and from Madison. No additional infrastructure components are needed.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

i. The Community's Need for Funding

The area's past history of lost jobs, businesses, and tax revenues has left the Madison area in particularly challenging conditions. **The population has decreased by over 17% in Madison, and nearly 30% in Boone County since the 1980's** (U.S. Census Bureau, 2019 estimates), due almost exclusively to job losses in coal mining and mining support industries and businesses. As

a result, Madison now has an increased **poverty rate of 22.5%, more than 59% above the U.S. average of 9.2%** (U.S. Census, 2020 est.). Madison and Boone County have lost major revenues, especially within the last decade from coal severance taxes (reduced approximately 80% since 2008). Existing funds have been stretched to the limit. In 2019 and 2020, local and county level government sector positions have been reduced by up to 75%, with some services and programs eliminated, all the result of the loss of up to 80% of tax revenues. No “extra” funding is available for new economic development projects like the Lyon Oil property. In addition, State funds are not available exclusively for environmental remediation activities. Remediation of the site will ultimately bring new jobs, new recreational visitors, new business and increased revenues into Madison and Boone County.

ii. Threats to Sensitive Populations

(1) Health or Welfare of Sensitive Populations

In Madison and Boone County, over 20% of the population is age 65 or older, compared to a national level of 16.9% (U.S. Census Bureau, 2019 est.). This older population segment is the largest sensitive population in Madison and has unique health concerns that can be connected to exposure to various contaminants. As an example, elderly populations are “prone to having immune systems that are often weaker, and tend to have more sensitive lungs, resulting in more difficulty fighting off health effects from airborne-based contaminants” (ref. Agency for Toxic Substances and Disease Registry). According to Health Resources & Services Administration, Madison’s elderly population, combined with the area’s low-income levels, are factors designating Boone County as a “Medically Underserved Area”. This project will remediate known heavy metals and petroleum contaminants in soils and groundwater on the site that pose potential airborne and / or direct contact threats to the local elderly population.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

WV consistently ranks in the top 4 U.S. States for highest cancer, diabetes, general poor health and chronic respiratory disease rates (Centers for Disease Control and Prevention, 2018 data). While health statistics are not available for the Town of Madison, Boone County (which includes Madison) ranks in the lowest 10% of WV counties for overall poor or fair health, poor physical health days, poor mental health days, and physical inactivity (Robert W. Johnson Foundation, County Health Rankings, 2019). A specific health concern in Boone County is chronic respiratory diseases, with a rate of 50.1 (adjusted rate per 100,000 population), 12% higher than the national level (WV Bureau for Public Health, 2019). Exposure to contaminants on the Former Lyon Oil site which are potential airborne threats are a potential local contributor to these documented higher than normal respiratory diseases and associated adverse health rates. This project will remediate known contaminants and reduce associated potential health threats.

(3) Disproportionately Impacted Populations

The previously documented elderly population on fixed low-incomes disproportionately share the negative environmental consequences resulting from industrial operations in the immediate Madison area, including the former Lyon Oil property. Remediation of this property will reduce potential exposure to environmental contaminants that could affect the health of this sensitive

population, and redevelopment of the site for new recreation and business use will provide new job opportunities. BCEDDC has a policy of hiring local contractors whenever practical and allowable by federal law {per 2 CFR 200.319(b)} and will utilize this policy for remediation and redevelopment of the property. With associated new business opportunities upon redevelopment completion of the site, additional new jobs will become available, including employment to senior citizens to supplement their fixed income. The BCEDDC will utilize local entrepreneurial entities for these new business developments and will offer a co-operative business ownership model where local citizens will have a role in a jointly owned and/or operated enterprise.

b. Community Engagement

i./ii. Project Partners and Project Partner Roles

The BCCDC has formed the Three Trail Project Committee, currently consisting of 5 entities that will be working together on redeveloping the Lyon Oil site. Additional committee members will be added “as needed” as the project progresses. Each member will provide input on site re-use planning and redevelopment, and interaction with existing recreational based entities (watershed groups, local businesses, local residents and workers) to maximize redevelopment aspects. Current Committee partners and their roles are provided in the following table:

Partner Name	Point of Contact	Specific Role in Project
Coal River Group - Walhonde Water Trail	Bill Currey, Chairman 304/722-3055	Input on site reuse for Coal River canoe / kayak access
Hatfield McCoy Regional Recreation Authority	Jeffrey Lusk, Executive Director 304/752-3255	Input on site reuse to support motorized trail use
Town of Madison	James “Buddy” Hudson 304/369-2762	Site public safety, site reuse input, public meeting space
Regional Intergovernmental Council	Terry Martin, Project Coordinator 304/744-4258	Site reuse input, additional financing assistance
WV Brownfields Assistance Center	George Carico, Director, 304/696-5456	Brownfields technical support, project management & expertise

iii. Incorporating Community Input

Project progress will be communicated with the local community using an array of methods to allow for full community input and participation while adhering to COVID-19 pandemic restrictions. First, the BCCDC will use its website to provide updates on project-specific activities, updated as activities are initiated and/or completed. The website will allow for public response, comments, and questions so BCCDC officials can provide immediate responses. Secondly, the BCCDC will use Madison’s monthly City Council meetings, following State COVID-19 guidelines for group gatherings, to communicate project updates and related information as the project advances. City Council meetings are announced each month and open to the public, and the use of virtual meetings will be utilized if needed. These efforts will allow for public comment and associated interaction at the local level. Project tasks discussed later in this application include quarterly meetings in conjunction with Madison City Council meetings, ensuring continued project interaction. Finally, the BCCDC will use its Committee partners to

disseminate project information throughout their organization and contacts, resulting in an extensive outreach effort to fully engage the local community and area organizations that are interested in the project. Along with these efforts, the BCCDC will publish a “Project Update” document, to be made available on both the BCCDC and Town of Madison’s website, and available at Madison City Council meetings, outlining project activities and goals, timeframes for completion, and project status details. This document will be updated throughout the project period as activities advance, keeping the local community fully up to date.

3. TASK DESCRIPTION, COST ESTIMATES, AND MEASURING PROGRESS

a. Proposed Cleanup Plan

The Former Lyon Oil site includes multiple contaminants in the surface and subsurface soils, and in groundwater, originating from past use as a bulk petroleum storage and used oil recycling facility. Volatile and semi-volatile aromatic hydrocarbons {benzene, xylenes, benzo(a) anthracene, benzo(a)pyrene, naphthalene, et.al}, and heavy metals (arsenic, vanadium, aluminum, iron) are known to be present, based on extensive environmental site assessment activities, at levels exceeding WV De Minimis standards for industrial and/or residential use. Complete removal of contaminants is not achievable, due to extensive removal costs, as discussed in the attached Analysis of Brownfields Cleanup Alternatives (ABCA). A combination of removal of impacted surface materials (above-ground tanks and associated fluids), impacted surface and subsurface soils, followed by a risk-based assessment on remaining contaminants, will be conducted. The site will be entered in the WV Voluntary Remediation Program (VRP) to guarantee safe site re-use while remaining residual contaminants are managed. All tanks, tank fluids, and contaminated materials will be removed and transported to a recycling facility or permitted facility for reuse or disposal, with documentation of all waste disposal and recycling. Remediation will begin immediately upon receiving cleanup grant funds.

b. Description of Tasks / Activities and Outputs

Task / Activity descriptions are provided on the following table:

Task / Activity 1: Project Set-up and Management	
i. Project Implementation:	Project management and oversight, cooperative agreement oversight, and all required quarterly and final reporting will be conducted by BCCDC. An experienced WV Licensed Remediation Specialist (LRS) will be hired through a competitive bid process to enter the site into the VRP. A BCCDC representative will travel, as allowed under COVID-19 restrictions, to 2 WV brownfields conferences and 1 national brownfield conference.
ii. Anticipated Project Schedule:	Month 1 through Month 36
iii. Task / Activity Lead:	Kris Mitchell / BCCDC Executive Director with LRS lead on VRP
iv. Outputs:	12 quarterly project reports, 12 quarterly financial status reports, participation in 3 brownfield conferences, WV VRP application, 12 public meetings, 1 Project Update document.
Task / Activity 2: Work Plan, Initial Site Cleanup and Tank Removals	
i. Project Implementation:	A Remedial Action Workplan will be generated, and the ABCA finalized. Six aboveground storage tanks will be emptied, cleaned and removed from the site. Petroleum fluids will be recycled, unless incineration is required, based on fluid characteristics.

ii. Anticipated Project Schedule: Month 3 through Month 18
iii. Task / Activity Leads: LRS will lead; environmental contractor; oversight by BCCDC staff
iv. Outputs: 1 Work Plan, ABCA finalized, removal of storage tanks, gallons of fluids recycled
Task / Activity 3: Risk-Based Assessment, Groundwater Monitoring and VRP Completion
i. Project Implementation: The LRS will oversee a Risk-Based Environmental Assessment that meets VRP requirements. Assessment activities include groundwater monitoring and sampling, modeling and reporting. The Risk-Based Environmental Assessment will be used to determine restrictions for future site use. Submittal of VRP package will occur during project year three.
ii. Anticipated Project Schedule: Month 6 through Month 36
iii. Task / Activity Lead: LRS will lead all required activities
iv. Outputs: 1 Risk-based Environmental Assessment, Remediation of 2 Acres of Brownfields, Final VRP Report, Land Use Covenant, and VRP Certificate of Completion from WVDEP.
Task / Activity 4: Site Re-Use Planning
i. Project Implementation: BCCDC will hire a site planning developer through a competitive bid process to compile site plans for future use, based on community and stakeholder input.
ii. Anticipated Project Schedule: Month 25 through Month 36
iii. Task / Activity Leads: BCCDC will lead activities, input from development contractor
iv. Outputs: Completion of Site Re-use Planning Document

c. Cost Estimates

The cost estimate for each task is provided in the following table:

Budget Categories		Project Tasks (\$)				Total
		Project Set-up & Management	Workplan and Site Cleanup	Risk-Based Assessment, VRP Completion	Site Re-use Planning	
Direct Costs	Personnel	\$9,072				\$9,072
	Travel	\$3,000				\$3,000
	Contractual	\$12,777	\$23,327	\$96,868	\$19,000	\$151,972
	Other	\$5,750		\$12,000		\$17,750
Total Direct Costs		\$30,599	\$23,327	\$108,868	\$19,000	\$181,794
Indirect Costs						
Total Federal Funding		\$30,599	\$23,327	\$108,868	\$19,000	\$181,794
Cost share (20% of requested funds) ¹		\$6,120	\$4,665	\$21,774	\$3,800	\$36,359
Total Budget		\$36,719	\$27,992	\$130,642	\$22,800	\$218,153

Note¹: BCCDC is applying for Cost Share Waiver

Budget Details for each Project Task are as follows:

Task 1 - Project Set-up and Management

Personnel Cost: Project Manager, 6 hrs./month, 36 months, 216 hrs. at \$42.00/hr.; *Total \$9,072*

Travel: 1 person attending two State brownfield conferences, \$750 per event; 1 person attending one national EPA Brownfields Conference, \$1,500; *Total \$3,000*

Contractual: LRS participating in 12 quarterly meetings, estimated at \$300 / meeting; \$3,600; LRS compiling VRP application and WVDEP interaction, \$9,177; *Total \$12,777*

Other: WVDEP costs for VRP application fee; *\$5,750 lump sum*

Task 2 – Workplan and Site Cleanup

Contractual: Workplan and ABCA finalized, \$3,945; Removal of six above ground tanks (includes tank content fluid removal), \$3,000 per tank average, \$18,000; tank registration and closure documentation, \$1,382; *Total \$23,327*

Task 3 – Risk Based Assessment Groundwater Monitoring, VRP Completion

Contractual: 3 years required groundwater monitoring, modeling, reporting, \$68,846; Risk-Based Assessment and VRP completion; \$28,022; *Total \$96,868*

Other: WVDEP costs for VRP project expenses; *\$12,000 estimated lump sum*

Note: Remediation costs were compiled using the ABCA and utilizing input from the WVDEP's Brownfields Program, the Environmental Consultant responsible for environmental assessment activities, and an environmental professional experienced in site remediation.

Task 4 – Site Re-Use Planning

Contractual: Site Planning Developer costs for site re-use plan development; *Total \$19,000*

The BCCDC is requesting a cost share waiver. In the event this waiver is not approved, the BCCDC will provide cost share, including in-kind contributions from project support partners. In-kind contributions will include labor from BCCDC for project management and completion of all reporting requirements. The Town of Madison will provide cost-share contributions for site safety / security measures during remediation activities to ensure public safety. Additional cost share will be provided by the WV Brownfields Assistance Center, providing labor for technical assistance and interaction with the LRS and remediation contractor.

d. Measuring Environmental Results

Project outputs will be tracked and measured using a Project Tracking spreadsheet formulated by the BCCDC Project Manager and based on the "Project Update" document. Monthly update meetings with the LRS, and project status evaluations on a quarterly basis as part of Madison public meetings, will ensure project results are progressing in a timely manner. Using a monthly update meeting and quarterly public meetings schedule throughout the 3-year project period will ensure the project is meeting project outputs and overall project goals. Two anticipated Project Outcomes include 2 acres of brownfield property remediated and ready for reuse, and removal of potential exposure of the local community and future site users to hazardous levels of heavy metals and volatile and semi-volatile organic petroleum hydrocarbons. Future outcomes after conclusion of this project will include up to 20 new jobs created, and additional funding leveraged (amount yet to be determined; estimated at \$1.5 to \$2.5 million) for site reuse development.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

i./ii. Organizational Structure / Description of Key Staff - The BCCDC is under the direction of Executive Director Kris Mitchell, who will be responsible for overseeing all grant activities and funds, submitting all required reports to EPA, and ensuring all project activities are in accordance with the work plan and the terms and conditions of the work plan. Ms. Mitchell has a master's degree in Public Administration and has served as Director of BCCDC for over seven years. Ms. Mitchell is responsible for all administration, project development, and project

management within the organization, managing over \$10 million of grant funds. Ms. Mitchell will be assisted by the following BCCDC Board of Directors members: Chairman Eddie Hendricks, President; Secretary/Treasurer Carolyn Mullins (also on Madison City Council); and Board member Victor Farmer, providing paralegal services.

iii. Acquiring Additional Resources - BCCDC uses a procurement process that follows all WV procurement laws, and subsequently complies with federal procurement laws. For hiring the required WV LRS and Site Planning Developer, a Request for Qualification (RFQ) Process will be utilized, followed by a review process using quantitative rating criteria. For subsequent hiring of contractors for site remediation activities, BCCDC will request bids / proposals, receive and record bids/proposals, and note any deficiencies. Each bid/proposal will be evaluated based on established criteria specific to the required job task. A contract to the most qualified bidder will be awarded that fully meets bid/proposal requirements.

b. Past Performance and Accomplishments

iii. Has Not Received an EPA Brownfields Grant but has Received Other Federal on Non-Federal Assistance Agreements

(1) Purpose and Accomplishments - The BCCDC has never received an EPA Brownfields grant but has received multiple federal and non-federal funded assistance agreements with successful results. Three examples are provided below:

U.S. Department of the Interior - Land and Water Conservation Fund – \$60,000 used as part of a \$500,000 grant for construction of an amphitheater at an outdoor water park and public recreation area. The amphitheater was constructed, completed on-time and without any contractual problems.

WV Division of Arts, Culture, and History – \$75,000 used for site preparation of amphitheater. Site work was completed on time and without any contractual problems. As a result, the amphitheater was constructed and completed on-time and without any contractual problems.

State of WV General Fund – \$100,000 used to upgrade electrical system components of Boone County Courthouse. All work activities were completed on-time, without any contractual problems.

(2) Compliance with Grant Requirements – The BCCDC successfully managed and performed all phases of work under each of the above example grants. In each example, funds were obtained by a competitive application process. Compliance with work plans, schedule and terms and conditions were achieved in a timely manner. Each project included a full report documenting all funding use. Reporting was satisfactorily performed as required by each funding entity, with reports submitted in a timely manner upon project completion. There were no compliance issues with any of these grant examples, and no problems with any of the submitted reports. The BCDA has not had any negative outcomes as a result of these grant activities, and there were no compliance issues or post-project problems associated with any of these grants.

Threshold Criteria for Cleanup Grants

Former Lyon Oil Property, Madison, WV (Boone County Community Dev. Corp)

1. Applicant Eligibility: Boone County Community Development Corporation is a General Purpose Unit of Local Government, specifically as a local public authority under 2 CFR 200.64. As an established General Purpose Unit of Local Government, we affirm that the organization is eligible for funding.
2. Previously Awarded Cleanup Grants: Boone County Community Development Authority has never received any EPA Brownfield Clean-up grant funding for this site.
3. Site Ownership: Boone County Community Development Corporation (Boone County CEDC) took ownership of the building on 2/28/2019.
4. Basic Site Information:
 - a. Site Name: Former Lyon Oil Property
 - b. Address: 10 Avenue C, Madison, WV 25130
 - c. Current Owner: Boone County Community Development Corporation
5. Status and History of Contamination at the Site:
 - a. Contamination Type: Petroleum Substances
 - b. Operation History and Current Use: The site was originally used as an ice storage facility, and later used as a bulk petroleum storage facility. In more recent years the property had primarily served as a used oil collection, storage and recycling facility.
 - c. Environmental Concerns: The primary environmental impacts at the site are volatile and semi-volatile organic compounds from various petroleum-based products, including gasoline, diesel fuel, and used oil. Secondary environmental impacts include heavy metals including vanadium, arsenic, aluminum and iron.
 - d. How Contamination Occurred: Contaminants are the result of poor management practices involving storage and product transfer primarily of gasoline, diesel fuel, and used oil. Surface spills and containers without proper secondary containment are present on the property.
6. Brownfields Site Definition: The Former Lyon Oil Property is Not listed or proposed for listing on the National Priorities List, Not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA, and Not subject to the jurisdiction, custody, or control of the U.S. Government.
7. Environmental Assessment Required for Cleanup Grant Guidelines: A Phase I Environmental Site Assessment was completed February 14, 2019, following All Appropriate Inquiry guidelines. A Phase II Environmental Assessment was completed in November of 2019.
8. Enforcement or Other Actions: There are no known environmental enforcement or other actions related to the site.
9. Sites Requiring a Property-Specific Determination: The Boone County CDC affirms the site does Not need a Property-Specific Determination from EPA to be eligible for Brownfields Grant funding.

10. Threshold Criteria Related to CERCLA / Petroleum Liability:

b. Property Ownership Eligibility – Petroleum Sites:

- (1) Current and Immediate Past Owners: Current Owner is the Boone County CDC. The previous owner was Mr. Larry Lyon, who operated Lyon Oil Recycling at this location.
- (2) Acquisition of Site: The Boone County CDC purchased the property directly from Mr. Larry Lyon.
- (3) No Responsible Party for the Site: Boone County CDC has never dispensed or disposed of petroleum or petroleum product contamination, or exacerbated the existing petroleum contamination at the site. Since Boone County CDC took ownership of the site, no dispensing or disposal of petroleum by others has taken place, and Boone County CDC has taken steps to minimize public exposure to any contaminants on the site, by locking the building and limiting access to the property. The previous owner (Mr. Larry Lyon) brought petroleum products to the site as part of his recycling business. Petroleum-based fluids on the site were placed there by the previous owner.
- (4) Cleaned up by a Person Not Potentially Liable: Boone County CDC has never dispensed or disposed of petroleum or petroleum product or exacerbated the existing petroleum contamination at the site. Since taking ownership, Boone County CDC has taken reasonable steps to minimize impact to petroleum contamination on the site, by locking the building at all times and minimizing site access by the public, including installation of “Private Property – No Trespassing Signs” placed on the property. Due to a fire on the property earlier this year, the building is now deemed unsafe and will be demolished. No unauthorized access onto the property is allowed.
- (5) Judgements, Orders, or Third-Party Suits: To the best of Boone County CDC’s knowledge, no responsible party is identified for the site, through a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or, an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or, a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.
- (6) Subject to RCRA: The Site is not known to be subject to any order under Section 9003(h) of the Solid Waste Disposal Act.
- (7) Financial Viability of Responsible Parties: The past owner of the property, Mr. Larry Lyon, was also owner of Lyon Oil Recycling, which operated a used oil recycling business at this location. Mr. Lyon is responsible for petroleum fluids that are currently present on the site. Mr. Lyon’s company went out of business more than 20 years ago, and the property has sat vacant since that time, except for two apartments that were located on one end of the building (which were vacated upon purchase of the property by the Boone County CDC). Mr. Lyon is now in his late 90’s in age and is suffering from advanced dementia and related mental illness and is not capable of taking responsibility for cleanup of the site. The Boone County CDC negotiated sale

of the property through Mr. Lyon's family to obtain ownership of the property. If Boone County CDC had not taken steps to purchase the property, it is highly likely that the site would have sat vacant for multiple years, due to site conditions, including petroleum fluid storage and potential for extensive cleanup costs.

11. Cleanup Authority and Oversight Structure: Boone County CDC will be enrolling the site into the WV Voluntary Remediation Program. Boone County CDC will hire, through a competitive bid procurement process, an experienced WV Licensed Remediation Contractor (LRS), which are required for any site entering the WV Voluntary Remediation Program. Boone County CEDA will comply with the competitive procurement provisions of 2 CFR 200.317 through 300.326 and ensure that this technical expertise is in place prior to beginning cleanup activities. Remediation activities are not expected to impact any offsite property; as a result, off-site property access is not expected to be required.
12. Community Notification:
 - a. Draft Analysis of Brownfield Cleanup Alternatives (ABCA): Copies of ABCA distributed to public meeting attendees and made available to the public for review.
 - b. Community Notification Ad: Published in local newspaper (Coal Valley News) on 10/05/20 (copy of ad attached).
 - c. Public Meeting: Held on October 7, 2020 at Boone County CDC offices, located in Madison, WV (and adjacent to the Lyon Oil Property). No questions or comments were received. A meeting sign-in sheet was used to register attendees. Copies of draft ABCA and draft cleanup grant narrative were reviewed by meeting attendees.
 - d. Submission of Community Notification Documents: A copy of the Draft ABCA, public notification ad, and meeting sign-in sheet are attached. Since there were no questions or comments received, no meeting notes were compiled.
13. Statutory Cost Share: Boone County CDC is requesting a hardship waiver of the 20% cost share, provided separately. This request is based on a multitude of factors, including high unemployment rate, low per capita income and median household income, population loss, and job losses. In the event a hardship waiver is not approved, Boone County CDC will work with local, State, and project partners to comply with the required cost share. Boone County CDC will also use in-kind contributions from personnel labor and project partners to meet the required cost share.

DRAFT Analysis of Brownfields Cleanup Alternatives (ABCA) – Preliminary Evaluation

Former Lyon Oil Property, Boone County, WV

INTRODUCTION AND BACKGROUND

- a. **Site Location** - The Former Lyon Oil Property is located at 10 Avenue C, Madison, WV.
- b. **Previous Site Use** - The site was originally used as an ice storage facility, and later used as a bulk petroleum storage facility. In more recent years the property had primarily served as a used oil collection, storage and recycling facility. The used oil facility has been closed for more than 10 years. Six above-ground storage tanks are still present on the property. A fire of unknown origin occurred in June of 2020, causing extreme damage to the building and building contents. The building and its contents, including tanks and drums of used oil, were either destroyed in the fire or removed from the site during cleanup operation. The property is currently unoccupied.
- c. **Site Assessment Findings** - A Phase I Environmental Assessment (ESA) was completed for the property in February of 2019, followed by a Phase II ESA, completed in November of 2019. The primary environmental impacts at the site are petroleum-based contaminants, located in surface and subsurface soils and groundwater. Petroleum contaminants are from gasoline, diesel fuel, and used oil, known to have been stored on the property. Secondary contaminants include heavy metals, located in both surface and subsurface soils and groundwater. Heavy metals contaminants include vanadium, arsenic, aluminum, and iron. The source of heavy metals present is not known and may be naturally occurring.
- d. **Project Goal** - Prior to landowner transfer to the Boone County Community & Economic Development Corporation (Boone County CEDC), a Phase I ESA was completed to document site conditions and provide additional environmental liability protection as a bona fide prospective purchaser. The overall goal of this project is for Boone County CEDC to remediate and redevelop the property for mixed recreational and possible business use, including parking and river access for kayaks and canoes on the Coal River / Walhonde Water Trail, and future use by Hatfield McCoy trail riders. Locating a kayak and canoe rental business and/or a restaurant overlooking the Coal River are additional redevelopment options. These efforts will bring new visitors and business to the area, create new job opportunities, and provide a much-needed economic boost to the Town of Madison and Boone County.

APPLICABLE REGULATIONS AND CLEANUP STANDARDS

- a. **Cleanup Oversight Responsibility** – Boone County CEDC, upon award of an EPA brownfields cleanup grant, will immediately initiate cleanup efforts. Boone County CEDC will hire a qualified, experienced WV Licensed Remediation Specialist to oversee the project, which will include entering the site into the WV Voluntary Remediation Program (VRP). The LRS, required on all sites entering the VRP, will be responsible for all applicable project documentation, report compilation, and report submittals. The LRS, and associated contractors required to perform specific site remediation tasks, will be hired through a competitive bid process. All activities will be conducted by firms fully licensed in the State of West Virginia. The West Virginia Department of Environmental Protection's (WVDEP) Office of Environmental Remediation will also be providing project oversight and approving VRP plans, and ultimately providing a Certificate of Completion.
- b. **Cleanup Standards** – The site will be entered in the VRP. This program uses Risk-based assessment and related contaminant standards to determine levels of contaminants allowed to remain on the site while protecting human health and the environment related to site redevelopment and future use. Recently completed VRP guidance for recreational site re-use will be used to finalize cleanup goals.
- c. **Applicable Laws and Regulations** – Laws and regulations that are applicable to this cleanup include the Federal Small Business Liability Relief and Brownfields Revitalization Act, Federal Davis-Bacon Act, and WVDEP's VRP. Contractors will also be required to have an up-to-date State Contractors License for conducting work within WV. Any additional Federal, State, and local laws regarding procurement of contractors to conduct the cleanup will be followed.

EVALUATION OF CLEANUP ALTERNATIVES

- a. **Cleanup Alternatives Considered** - Three potential cleanup alternatives have been reviewed for this building, including:
 - 1. **No Action**
 - 2. **Removal of Above-ground Tanks and Entering the Site into the WV VRP.**
 - 3. **Removal of Above-ground Tanks and Removal of all Petroleum and Heavy Metal Contaminants by Contaminated Soil Excavation and / or Capping, and Groundwater Treatment.**

b. Effectiveness, Implementability, and Cost Estimate of Cleanup Alternatives

Effectiveness

1. **No Action** – This alternative is not effective in controlling or preventing the exposure of receptors to contamination on the site. This alternative would result in the property remaining in its current status. With this alternative, the site will remain vacant and unused, and minimal interest would be shown from private developers in the future. The presence of petroleum and heavy metal contaminants greatly reduces the property value. In addition, the site would require continued safety measures to ensure no one enters the subject property, due to the known presence of contaminants. As owner of the property, Boone County CEDC would be responsible for long-term site security and associated costs, while the property is in their possession, with no reuse potential.
2. **Removal of Above-ground Tanks and Entering the Site into the WV VRP** – This alternative includes removal of all above-ground tanks used for petroleum storage, entering the site into the WV VRP, conducting a Risk-Based environmental assessment to determine contaminant cleanup goals, and groundwater monitoring and modeling. These efforts would result of the site obtaining a Certificate of Completion from the WVDEP and would include any site restrictions required for future site usage, if applicable. This alternative would be effective in controlling exposure of receptors to petroleum and heave metal contamination.
3. **Removal of Above-ground Tanks and Removal of all Petroleum and Heavy Metal Contaminants by Contaminated Soil Excavation and / or Capping, and Groundwater Treatment** – This alternative includes removal of all above-ground tanks, excavation and disposal of contaminated soils, capping of contaminated soils, and long-term groundwater treatment and monitoring. This alternative would be effective in controlling exposure of receptors to petroleum and heave metal contamination.

Implementability

1. **No Action** – A “No Action” alternative is easy to implement since no actions will be conducted.
2. **Removal of Above-ground Tanks and Entering the Site into the WV VRP** – This alternative is relatively easy to implement, although on-going groundwater monitoring will require periodic coordination and reporting. This alternative will likely result in land use restrictions on the site, however, based on planned site

reuse for non-residential use, restrictions on the property should not impact site redevelopment plans. Site cleanup activities will result in short-term disturbances to the local area (trucks transporting tanks and tank fluids and related impacted materials from the site), so coordination during cleanup activities to minimize local community impact will be required.

3. **Removal of Above-ground Tanks and Removal of all Petroleum and Heavy Metal Contaminants by Contaminated Soil Excavation and / or Capping, and Groundwater Treatment** – This alternative is moderately difficult to implement. Site cleanup activities will result in short-term disturbances to the local area (trucks transporting tanks, tank fluids and related impacted materials from the site), so coordination during cleanup activities to minimize local community impact will be required. Groundwater treatment and monitoring are anticipated to occur over a multi-year timeframe, resulting in additional periodic coordination and reporting. Ultimately, this alternative would result in no land use restrictions or other monitoring requirements.

Cost

1. **No Action** – There will be no costs under this cleanup alternative.
 2. **Removal of Above-ground Tanks and Entering the Site into the WV VRP** – This alternative would be a significantly lower cost than Option 3. Estimated total cost is on the order of \$180,000 (cost estimates attached)
 3. **Removal of Above-ground Tanks and Removal of all Petroleum and Heavy Metal Contaminants by Contaminated Soil Excavation and / or Capping, and Groundwater Treatment** – This alternative would be the highest cost of the three alternatives. Estimated total cost would be based on site monitoring during soil removal activities and length of groundwater treatment to meet contamination threshold requirements. Initial estimated costs range from approximately \$450,000 to >\$500,000.
- c. **Recommended Cleanup Alternative** - Based on the above cleanup alternatives and associated end results, cleanup alternative Number 2, “**Removal of Above-ground Tanks and Entering the Site into the WV VRP**”, is the preferred alternative we are pursuing. Alternative Number 1 (“No Action”) cannot be recommended since it does not address site risks. Alternative Number 3 (“Removal of Above-ground Tanks and Removal of all Petroleum and Heavy Metal Contaminants by Contaminated Soil

Excavation and / or Capping, and Groundwater Treatment”) is the most expensive and includes long-term commitments regarding groundwater treatment and monitoring.

Alternative Number 2 (“Removal of Above-ground Tanks and Entering the Site into the WV VRP”) is significantly less expensive than Alternative 3 and will result in obtaining a Certificate of Completion from the WVDEP in the VRP. This alternative removes all required contaminants and prepares the site for redevelopment for recreational and non-residential use, with no foreseeable long-term monitoring and maintenance costs. For these reasons, Alternative Number 2 (“Removal of Above-ground Tanks and Entering the Site into the WV VRP”) is the recommended alternative.

TABLE 1
ESTIMATED PROJECT COSTS
ASSESSMENT OF SITE IMPACTS UNDER THE WEST VIRGINIA VOLUNTARY REMEDIATION PROGRAM
FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA

VOLUNTARY REMEDIATION APPLICATION PACKAGE PREPARATION (Includes Application Fee)					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager/LRS	1	Hrs	\$180.00		\$180.00
Project Manager IV/LRS	4	Hrs	\$135.00		\$540.00
Scientist III	10	Hrs	\$75.00		\$750.00
Senior CAD Operator	4	Hrs	\$75.00		\$300.00
Senior Word Processor	8	Hrs	\$50.00		\$400.00
Expenses	1	LS	\$100.00	1.15	\$115.00
VRP Application Fee	1	LS	\$5,000.00	1.15	\$5,750.00
				SUBTOTAL	\$8,035.00

LRS SUPERVISION AND COORDINATION (Includes Site Visit and Meeting with WVDEP)					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager/LRS	20	Hrs	\$180.00		\$3,600.00
Project Manager IV/LRS	20	Hrs	\$135.00		\$2,700.00
Scientist III	4	Hrs	\$75.00		\$300.00
Senior Word Processor	2	Hrs	\$50.00		\$100.00
Mileage (Est. 2 trips x 70 miles/trip)	140	Miles	\$0.55		\$77.00
Expenses	1	LS	\$100.00	1.15	\$115.00
				SUBTOTAL	\$6,892.00

AST REGISTRATION AND CLOSURE					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Project Manager IV/LRS	2	Hrs	\$135.00		\$270.00
Scientist III	10	Hrs	\$75.00		\$750.00
AST Registration Fees	7	LS	\$45.00	1.15	\$362.25
				SUBTOTAL	\$1,382.25

GROUNDWATER MONITORING WELL COVER INSTALL (Surface Completion and Resurvey)					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Project Manager IV/LRS	1	Hrs	\$135.00		\$135.00
Scientist III (3 days)	30	Hrs	\$75.00		\$2,250.00

TABLE 1
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FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA

Senior Equipment Specialist (3 days)	30	Hrs	\$65.00	\$1,950.00
Senior Word Processor	1	Hrs	\$50.00	\$50.00
Survey Equipment	1	Days	\$50.00	\$50.00
Expenses	10	LS	\$200.00	\$2,300.00
Mileage (Est. 3 trips x 70 miles/trip)	210	Miles	\$0.55	<u>\$115.50</u>
			SUBTOTAL	\$6,850.50

TABLE 1
ESTIMATED PROJECT COSTS
ASSESSMENT OF SITE IMPACTS UNDER THE WEST VIRGINIA VOLUNTARY REMEDIATION PROGRAM
FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA
GROUNDWATER MONITORING (Six (6) Semi-Annual Events for three (3) years)

DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Project Manager IV/LRS	9	Hrs	\$135.00		\$1,215.00
Technician V (5 days/Event)	300	Hrs	\$60.00		\$18,000.00
Senior Word Processor	6	Hrs	\$50.00		\$300.00
Water Chemistry Meter- 6 Function	30	Days	\$75.00		\$2,250.00
Interface Probe	30	Days	\$40.00		\$1,200.00
Submersible Pump w/control	30	Days	\$150.00		\$4,500.00
Sampling Supplies (10 Wells)	60	Wells	\$75.00		\$4,500.00
Expenses	6	LS	\$100.00	1.15	\$690.00
Mileage (Est. 5 trips/Event x 70 miles/trip)	2100	Miles	\$0.55		\$1,155.00
Drums	6	Drums	\$55.00	1.15	\$379.50
SUBCONTRACTOR					
Purge Water Disposal (Eco-first)	6	Drums	\$120.00	1.15	\$828.00
LABORATORY ANALYSIS					
VOCs, SVOCs, Metals					
Groundwater (Pace)	60	Analyses	\$310.00	1.15	\$21,390.00
QA/QC					
Field/Trip (Water) (VOCs)	6	Analyses	\$85.00	1.15	\$586.50
Equipment Blank (Water)	6	Analyses	\$310.00	1.15	\$2,139.00
MS/MSD/Duplicate	18	Analyses	\$310.00	1.15	\$6,417.00
				SUBTOTAL	\$65,550.00

GROUNDWATER MONITORING REPORTS (Six (6) semi-annual events)

DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	6	Hrs	\$180.00		\$1,080.00
Project Manager IV/LRS	12	Hrs	\$135.00		\$1,620.00
Scientist III (12 hours/report)	72	Hrs	\$75.00		\$5,400.00
Senior CAD Operator	18	Hrs	\$75.00		\$1,350.00
Senior Word Processor	6	Hrs	\$50.00		\$300.00
Expenses	6	LS	\$200.00	1.15	\$1,380.00
				SUBTOTAL	\$11,130.00

BASELINE/RESIDUAL HUMAN HEALTH AND ECOLOGICAL RISK ASSESS. REPORTING

TABLE 1
ESTIMATED PROJECT COSTS
ASSESSMENT OF SITE IMPACTS UNDER THE WEST VIRGINIA VOLUNTARY REMEDIATION PROGRAM
FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA

DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	4	Hrs	\$180.00		\$720.00
Project Manager IV/LRS	6	Hrs	\$135.00		\$810.00
Scientist III	12	Hrs	\$75.00		\$900.00
Senior Word Processor	3	Hrs	\$50.00		\$150.00
Senior CAD Operator	8	Hrs	\$75.00		\$600.00
Expenses	1	LS	\$100.00	1.15	\$115.00
SUBCONTRACTOR					
Risk Assessment (Mahfood Group)	1	LS	\$10,000.00	1.15	\$11,500.00
				SUBTOTAL	\$14,795.00

TABLE 1
ESTIMATED PROJECT COSTS
ASSESSMENT OF SITE IMPACTS UNDER THE WEST VIRGINIA VOLUNTARY REMEDIATION PROGRAM
FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA

RESPONSE TO COMMENTS, RISK ASSESSMENT (ASSUMES ONE RESPONSE)					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	4	Hrs	\$180.00		\$720.00
Project Manager IV/LRS	6	Hrs	\$135.00		\$810.00
Scientist III	12	Hrs	\$75.00		\$900.00
Senior CAD Operator	4	Hrs	\$75.00		\$300.00
Senior Word Processor	4	Hrs	\$50.00		\$200.00
Expenses	1	LS	\$100.00	1.15	\$115.00
				SUBTOTAL	\$3,045.00

REMEDIAL ACTION WORKPLAN					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	4	Hrs	\$180.00		\$720.00
Project Manager IV/LRS	6	Hrs	\$135.00		\$810.00
Scientist III	24	Hrs	\$75.00		\$1,800.00
Senior CAD Operator	4	Hrs	\$75.00		\$300.00
Senior Word Processor	4	Hrs	\$50.00		\$200.00
Expenses	1	LS	\$100.00	1.15	\$115.00
				SUBTOTAL	\$3,945.00

INSTITUTIONAL CONTROLS ASSIST. (Land Use Covenants, Groundwater Use Restrict., etc.)					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	8	Hrs	\$180.00		\$1,440.00
Project Manager IV/LRS	18	Hrs	\$135.00		\$2,430.00
Scientist III	8	Hrs	\$75.00		\$600.00
Senior Word Processor	2	Hrs	\$50.00		\$100.00
Mileage (Est. 2 trips x 70 miles/trip)	140	Miles	\$0.55		\$77.00
Expenses	1	LS	\$100.00	1.15	\$115.00
				SUBTOTAL	\$4,762.00

FINAL REPORT					
DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
Senior Project Manager	2	Hrs	\$180.00		\$360.00

TABLE 1
ESTIMATED PROJECT COSTS
ASSESSMENT OF SITE IMPACTS UNDER THE WEST VIRGINIA VOLUNTARY REMEDIATION PROGRAM
FORMER LYON OIL RECYCLING FACILITY
MADISON, BOONE COUNTY, WEST VIRGINIA

Project Manager IV/LRS	4	Hrs	\$135.00		\$540.00
Scientist III	10	Hrs	\$75.00		\$750.00
Senior Word Processor	2	Hrs	\$50.00		\$100.00
Expenses	1	LS	\$100.00	1.15	\$115.00
				SUBTOTAL	\$1,865.00

WVDEP REGULATORY REVIEW COSTS

DESCRIPTION	QUANTITY	UNITS	RATE	MULTIPLIER	TOTAL
WVDEP Expenses	1	LS	\$12,000.00		\$12,000.00
				SUBTOTAL	\$12,000.00

ESTIMATED COSTS **\$140,251.75**

Former Lyon Oil Property, 10 Avenue C, Madison, WV

Estimated Costs for Work Plan and Above Ground Storage Tank Registration/Closure/Removal

(Estimated costs based on visual inspection of site and Phase I and Phase II Environmental Site Assessment Information; tank disposal and associated costs based on basic-rate costs provided by Ecco-First, Inc., Lesage, WV; tank registration and closure costs and Work Plan estimates provided by Kemron Environmental Services, Poca, WV)

- | | |
|------------------------------------------------------------------------------------|----------|
| 1. Above Ground Tank Registration and Closure Reporting, 6 tanks total (lump sum) | \$1,382 |
| 2. Above Ground Tank Cleaning, Removal and Tank Fluid Disposal, @ \$3,000 per tank | \$18,000 |
| -Labor (travel, per diem included), tank disposal, fluid disposal, 6 tanks total | |
| 3. Work Plan (lump sum) | \$3,945 |

TOTAL Projected Cost: \$23,327

(Used for Task 2 Cost Estimate)

**Public Notice of EPA Brownfields
Cleanup Grant Application by
Boone County Community and
Economic Development Corp.**

The Boone County Community Development Corp. (BCCDC) is announcing plans to submit a cleanup grant application to the Environmental Protection Agency (EPA) for cleanup of the former Lyon Oil site, located at 10 Avenue C in Madison, WV. This property has had environmental assessment activities performed in the past, including a Phase I and Phase II Environmental Site Assessment. Assessment results indicate the presence of volatile and semi-volatile organic compounds in surface and subsurface soils and groundwater. These environmental impacts require remediation prior to site redevelopment.

This application is requesting EPA funds to help fund cleanup activities on the site. The EPA encourages public participation in these applications to ensure the local community is being informed and allowed to comment and provide input into the project.

As part of BCCDC's community interaction efforts, the public is invited and encouraged to review and comment on proposed cleanup plans. A summary of the project and proposed activities, and an Analysis of Brownfield Cleanup Alternatives, will be made available October 7, 2020 at 6:00 p.m. during a public meeting hosted by BCCDC. The meeting will take place at BCCDC's offices, located at 1 Avenue C, Madison, WV. These materials will also be available for public review through October 28, 2020 at BCCDC offices.

For questions or additional information, please contact Kris Mitchell at 304/369-9118 during normal business hours.

S119790

EPA CLEANUP GRANT- FORMER LYON OIL PROPERTY

Project:	Former Lyon Oil Property	Date:	October 7, 2020
Project Address	10 Avenue C, Madison, WV	Place/Room:	1 Avenue C, Madison, WV

[illegible]



Boone County Community & Economic Development Corp.

Suite 101 • Avenue C Building • Madison, WV 25130

In Partnership With the Boone County Commission

"Working Together for a Brighter Future in Boone County"

BOONE
COUNTY

CERTIFIED
BUSINESS
LOCATION

Hardship Waiver Request

Boone County Community Development Corporation (Boone County CDC) – Former Lyon Oil Property, Madison, WV

Boone County CDC is requesting a hardship waiver for the 20% cost share required as part of the EPA Brownfields cleanup grant application process. This request is based on multiple factors (ref. American Community Survey, U.S. Census, 2019 / 2020 estimates, unless noted), provided as follows:

1. **Higher than U.S. Average Poverty Rate** – The poverty rate in Madison is 22.5%, more than double the U.S. rate of 9.2%.
2. **Loss of Coal Severance Taxes** – In WV, each ton of coal mined has a coal severance tax placed on it, which is distributed primarily among the coal producing counties. Since Boone County has had the largest coal tonnage mined for the past several decades (until 2017), the county has had abundant coal severance taxes available for use in schools, cities and county-managed projects and public resources. Currently coal production in Boone County has been reduced by 80% since 2008 (Appalachian Region Commission Study, *"Overview of Coal Economy in Appalachia"*, January 2018). With this extensive reduction in coal production and associated coal severance taxes, Boone County has lost a comparable level of its tax revenues.
3. **Lower than U.S. Average Income Per capita** – The Per Capita Income for Madison is \$18,309, more than \$11,000 below the U.S. level of \$29,829, and 24% lower than the WV level of \$24,002. This statistic reveals underemployment is occurring in the immediate area.
4. **Lower than U.S. Average Median Household Income** – In Madison, the median household income rate is \$42,245, approximately 25% lower than the national level of \$55,322. While unemployment rates in the Madison area generally mirror State and national levels, the lower income levels imply "underemployment" is occurring.
5. **Population Loss** – Since 1980, Madison has lost 17.5% of its population, and nearly 30% in Boone County). The population peaked at 3,228 in 1980 and has reduced to 2,662

6. today. This lost population is largely due to lost jobs in coal mining and mining support industries. Lower population levels at both the local and County level has resulted in major tax revenue reductions.
7. **Boone County CDC** does not have extra budget funds that can be set aside specifically for projects of this magnitude. Boone County CDC relies on local, state and federal grant funds, plus Private Foundation funds to conduct economic development activities throughout the County. The State of WV does not have any funds "set aside" for cleaning up brownfield properties, and due to tight budgets and anticipated budget shortfall in the current physical year, future available funding is not expected. Extra funding to meet the required 20% cost share is not readily available, nor is Boone County CDC in a position to borrow funds to meet this requirement.

Boone County has also experienced an approximately \$2 Million budget shortfall for the current physical year, due to extensive reductions in coal severance taxes and general tax revenues (previously outlined). Approximately half of the budget shortfall has been trimmed through employee lay-offs and program cuts; additional job losses and/or program cuts are likely to occur before the end of the current budget year.

Boone County CDC simply doesn't have the current resources in place to provide the 20% cost share. In the event this cost share request is not granted, Boone County CDC will work with its project partners and within its organization to provide appropriate match funding, including in-kind contributions from our staff and our project partners, and from other monetary sources as cost share funding opportunities are identified.

A handwritten signature in blue ink, appearing to read "K. Mitchell". The signature is stylized with a large, looped initial "K" and a cursive-style name.

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

10/27/2020

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

WEST VIRGINIA

8. APPLICANT INFORMATION:

* a. Legal Name: Boone County Community Development Corporation

* b. Employer/Taxpayer Identification Number (EIN/TIN):

(b) (6)

* c. Organizational DUNS:

1840228170000

d. Address:

* Street1:

1 Avenue C

Street2:

Suite 101

* City:

Madison

County/Parish:

Boone

* State:

WV: West Virginia

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

25130-1100

e. Organizational Unit:

Department Name:

Development Corporation

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

* First Name:

Kris

Middle Name:

Ann

* Last Name:

Mitchell

Suffix:

Title:

Director

Organizational Affiliation:

* Telephone Number:

3043699118

Fax Number:

3043699130

* Email:

director@boonecountywv.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

N: Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-20-07

* Title:

FY21 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

1237-Areas Affected by Project.docx

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Clean Up of Former Lyon Oil Brownfield in Madison, WV.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant

3

* b. Program/Project

3

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

10/01/2021

* b. End Date:

09/30/2024

18. Estimated Funding (\$):

* a. Federal	181,794.00
* b. Applicant	36,359.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	218,153.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed: